

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MARLON SALO HERNANDEZ CARRANZA,

Plaintiff,

v.

GLORIA MARISOL RAMIREZ, *et al.*,

Defendants.

Civil Action No. 8:20-02687-PWG

DECLARATION OF SUVITA MELEHY

I, Suvita Melehy, am over the age of 18 and competent to testify about the matters contained in this Affidavit of which I have personal knowledge.

1. I am a resident of the State of Maryland. I am admitted to practice law in the State of Maryland and the District of Columbia. I was admitted to the Maryland State Bar on December 14, 1995 and to the District of Columbia Bar on February 6, 1998. I am the managing attorney at Melehy & Associates LLC, a private law firm located in Silver Spring, Maryland, which concentrates its practice in employment law, including employment discrimination and wage and hour matters.

2. I graduated from the University of Maryland School of Law in May 1995.

3. I have practiced extensively in the area of employment law since 1996, and specifically wage and hour cases since 2000. Including cases brought under the Fair Labor Standards Act, 29 U.S.C. §§ 201, et seq., the District of Columbia Wage Payment and Collection Act, D.C. Code §§ 32-1301 *et seq.*, the District of Columbia Minimum Wage Revision Act, D.C. Code § 32-1001 *et. seq.*, the Maryland Wage and Hour Law ("MWHL"), Labor & Empl. Art. §§

3-415 and 3-427; and the Maryland Wage Payment and Collection Law (“MWPC”), Labor & Empl. Art., §§ 3-505 and 3-507.2.

4. Since I began practicing, I have individually handled 47 bench trials and/or evidentiary hearings before the Maryland Circuit Court, Maryland District Court, the Superior Court for the District of Columbia, the United States Bankruptcy Court for the District of Maryland and the United States Bankruptcy Court for the District of Columbia.

5. I am also responsible for managing all facets of the discovery process for the Firm’s wage and hour cases, including this case. More specifically, I have extensive experience in the field of e-Discovery and I take steps to stay abreast of the most recent developments in the field. In June of 2018, I attended a 6-day intensive e-Discovery training course at Georgetown University. The course covered a variety of topics in e-Discovery including authentication and admissibility of evidence, forms of production, preservation and collection, meet and confer conferences, and other related topics. I have taken approximately 65 depositions and I have argued numerous discovery motions and disputes before the Maryland Circuit Court, Maryland District Court, the Superior Court for the District of Columbia, and the Maryland and District of Columbia Federal District Courts.

6. In October 2021, I contacted the counsel for BVT-Bainbridge Lake Linganore Owner LLP and asked him to identify who the general contractor was on the Lake Linganore project that Plaintiff worked on, and he refused to provide this information.

7. The Firm bills its clients in one tenth of one hour increments and generally sends its bills out once per month. All timekeepers keep track of time with time and billing software known as Abacus Law. They all keep time records contemporaneously with the expenditure of time in accordance with the Firm’s policies. In this case specifically, all timekeepers kept

contemporaneous time records. In the exercise of billing judgment, I deleted time that was redundant, excessive, clerical or where two lawyers billed for the same meeting or reviewing the same document. I also deleted all time entries by 3 timekeepers who had a very minimal role in the case. These entries do not appear on the time records but are attached to this affidavit. The total value of this time (9.1 hours) is \$1,800.50. Then, I “no-charged” certain time entries (11 hours) in the exercise of billing judgment. These entries appear on the time records but have a “\$0.00” value in the total column, the value of this time is \$2,184.00. The total value of the deleted and “no-charged” time is \$3,984.50.

8. On December 2, 2020, I spoke by telephone with Fidel Granados, one of the Defendants in this case. He accused Plaintiff of stealing tools from the jobsite and threatened to file a counterclaim against him. He stated he had already filed a police report. To investigate the merits of the claim, I obtained the police report and learned that Mr. Granados was not being truthful as the police report indicated there was a dispute which stemmed from Plaintiff not having been paid pay wages, but the matter had been resolved in the presence of the Sheriff.

9. Settlement in this case was not straightforward and was complicated by several unique issues, including the fact that Plaintiff was only settling part of his claims with one defendant and was doing so while preserving his right to pursue the L&R Defendants for the rest of his damages and attorneys’ fees and costs. Moreover, the terms of the partial settlement were confidential, which made it difficult to seek default judgment. The Parties also needed to resolve whether the Court needed to approve the settlement, since Plaintiff was alleging FLSA claims, which were intertwined with his Maryland claims, and if so, what would happen to the settlement if the Court declined to approve it. The Parties engaged in several rounds of revisions to the agreement before they were able to agree upon language that addressed these issues.

I HEREBY DECLARE, on this 16th day of February, 2022, under the penalty of perjury,
that the foregoing is accurate, true and correct, to the best of my knowledge, information.

DocuSigned by:

Suvita M.

F194E73F3FE74AA...

Suvita Melehy

IN THE UNITED STATES FEDERAL DISTRICT COURT FOR THE DISTRICT OF MARYLAND <i>Carranza v. Ramirez, et al.</i> Case No. 8:20-cv-02687-PWG					
Deleted Time					
Date	Timekeeper	Description	Time	Rate	Total
07/21/2020	Andrew Balashov	Reviewing case file for completeness.	0.2	\$350.00	\$70.00
07/30/2020	Maria Aguilar	Left voicemail for client; Memorandum to file	0.1	\$180.00	\$18.00
07/30/2020	Maria Aguilar	Draft/send email to client regarding missed call.	0.2	\$180.00	\$36.00
09/17/2020	Christopher Grau	Review and file Complaint against all defendants.	0.1	\$180.00	\$18.00
09/18/2020	Christopher Grau	Review and file Summons Issued 21 days as to MR. Granados, L&R General Services, LLC, NVR, Inc., and Ms. Ramirez.	0.1	\$180.00	\$18.00
09/18/2020	Christopher Grau	Review and file Letter Order regarding the Filing of Motions.	0.1	\$180.00	\$18.00
09/18/2020	Christopher Grau	Prepare copier code.	0.2	\$180.00	\$36.00
09/28/2020	Christopher Grau	Begin to serve complaint on Mr. Granados.	0.3	\$180.00	\$54.00
09/28/2020	Christopher Grau	Begin to serve complaint on Ms. Ramirez.	0.3	\$180.00	\$54.00
09/28/2020	Christopher Grau	Begin to serve complaint on L&R General Services, LLC.	0.3	\$180.00	\$54.00
09/28/2020	Christopher Grau	Serve Mr. Granados, Ms. Ramirez, and L&R General Services, LLC.	0.8	\$180.00	\$144.00
10/01/2020	Christopher Grau	Review and file Amended Complaint against All Defendants.	0.1	\$180.00	\$18.00
10/01/2020	Christopher Grau	Review and file Notice of Voluntary Dismissal of Defendant NVR, Inc.	0.1	\$180.00	\$18.00
10/02/2020	Christopher Grau	Serve BVT-Bainbridge Lake Linganore Owner, LLP with complaint package.	0.8	\$180.00	\$144.00
10/05/2020	Christopher Grau	Review and file Summons Issued 21 days as to BVT-Bainbridge Lake Linganore Owner LLP.	0.1	\$180.00	\$18.00
10/05/2020	Christopher Grau	File returned certified mail slips from Mr. Granados, Ms. Ramirez, and L&R General Services, LLC.	0.2	\$180.00	\$36.00
10/05/2020	Christopher Grau	Print Affidavits of Service as to Mr. Granados, Ms. Ramirez, and L&R General Services, LLC for Mr. Balashov's review.	0.1	\$180.00	\$18.00
10/15/2020	Christopher Grau	File returned certified mail slip from BVT-Bainbridge Lake Linganore Owner, LLP d/b/a Bainbridge Lake Linganore.	0.1	\$180.00	\$18.00
10/26/2020	Christopher Grau	Review and file Affidavit of Service as to Fidel Granados.	0.1	\$180.00	\$18.00
10/26/2020	Christopher Grau	Review and file Affidavit of Service as to Gloria Marisol Ramirez.	0.1	\$180.00	\$18.00
10/26/2020	Christopher Grau	Review and file Affidavit of Service as to L&R General Services, LLC.	0.1	\$180.00	\$18.00
10/26/2020	Christopher Grau	Review and file Affidavit of Service as to BVT-Bainbridge Lake Linganore Owner, LLP d/b/a Bainbridge Lake Linganore.	0.1	\$180.00	\$18.00

10/29/2020	Christopher Grau	Review and file Notice of Appearance of Eric Scott Waldman on behalf of BVT-Bainbridge Lake Langanore Owner, LLP.	0.1	\$180.00	\$18.00
10/29/2020	Christopher Grau	Program contact information of Mr. Waldman into Abacus.	0.1	\$180.00	\$18.00
10/29/2020	Christopher Grau	Review and file Defendants' Motion to Dismiss Amended Complaint and related attachments.	0.1	\$180.00	\$18.00
10/29/2020	Christopher Grau	Review and file Defendants' Local Rule 103.3 Disclosure Statement.	0.1	\$180.00	\$18.00
10/30/2020	Christopher Grau	Review and file Paperless Order striking Motion to Dismiss because it was filed in violation of the Letter Order Regarding the Filing of Motions.	0.1	\$180.00	\$18.00
11/02/2020	Christopher Grau	Review and file Correspondence regarding Motion to Dismiss.	0.1	\$180.00	\$18.00
11/05/2020	Christopher Grau	Review and file Letter Order scheduling a telephone status conference.	0.1	\$180.00	\$18.00
11/05/2020	Christopher Grau	Review and file Notice of Appearance by Mr. Balashov on behalf of Marlon Salo hernandez Carranza.	0.1	\$180.00	\$18.00
11/09/2020	Christopher Grau	Review and file Notice of Appearance by Mr. Melehy.	0.1	\$180.00	\$18.00
11/09/2020	Christopher Grau	Review and file Paperless Order following 11/09/2020 hearing.	0.1	\$180.00	\$18.00
11/09/2020	Christopher Grau	Review and file Plaintiff's Motion for Clerk's Entry of Default for want of answer or other defense.	0.1	\$180.00	\$18.00
11/10/2020	Christopher Grau	Review and file Motion to Appear Pro Hac Vice for Edward W. Cameron.	0.1	\$180.00	\$18.00
11/10/2020	Christopher Grau	Review and file Motion to Appear Pro Hac Vice for William Evans.	0.1	\$180.00	\$18.00
11/16/2020	Christopher Grau	Review and file Paperless Order Granting Motion to Appear Pro Hac Vice on behalf of Edward Woodrow Cameron.	0.1	\$180.00	\$18.00
11/16/2020	Christopher Grau	Review and file Paperless Order Granting Motion to Appear Pro Hac Vice on behalf of William E. Evans.	0.1	\$180.00	\$18.00
11/17/2020	Christopher Grau	Review and file Joint Status Report.	0.1	\$180.00	\$18.00
11/19/2020	Christopher Grau	Review and file Paperless Order thanking the parties for Joint Status Report.	0.1	\$180.00	\$18.00
11/19/2020	Christopher Grau	Review and file Order Referring Case to Magistrate Judge Gina L Simms for Settlement.	0.1	\$180.00	\$18.00
11/30/2020	Christopher Grau	Review and file Paperless Order Scheduling a telephone conference related to settlement for December 18, 2020 at 5:00 p.m.	0.1	\$180.00	\$18.00
12/04/2020	Christopher Grau	Review and file Clerk's Entry of Default as to Fidel A. Granados, L & R General Services LLC, Gloria Marisol Ramirez.	0.1	\$180.00	\$18.00
12/04/2020	Christopher Grau	Review and file Notice of Default as to Gloria Marisol Ramirez.	0.1	\$180.00	\$18.00
12/04/2020	Christopher Grau	Review and file Notice of Default as to L&R General Services, LLC.	0.1	\$180.00	\$18.00
12/04/2020	Christopher Grau	Review and file Notice of Default as to Fidel A. Granados.	0.1	\$180.00	\$18.00
12/07/2020	Christopher Grau	Review and file Second Amended Complaint and related attachments.	0.1	\$180.00	\$18.00
12/07/2020	Christopher Grau	Review and file Notice by Marlon Salo Hernandez Carranza of Voluntary Dismissal of Defendant BVT-BAINBRIDGE LAKE LINGANORE OWNER LLP d/b/a BAINBRIDGE LAKE LINGANORE.	0.1	\$180.00	\$18.00

12/10/2020	Christopher Grau	Review and file Order Approving Dismissal of Defendant BVT- Bainbridge Lake Langanore Owner LLP d/b/a Bainbridge Lake Langanore.	0.1	\$180.00	\$18.00
12/11/2020	Christopher Grau	Revise check request form for \$5.00 document request fee to the Frederick County Sheriff's Office.	0.1	\$180.00	\$18.00
12/15/2020	Christopher Grau	Mail request for documents to Frederick County Sheriff's Office.	0.3	\$180.00	\$54.00
12/21/2020	Christopher Grau	Review and file notice of telephone conference related to settlement held on 12/18/2020 before Magistrate Judge Gina L Simms.	0.1	\$180.00	\$18.00
3/31/2021	Suvita Melehy	Review bill from West & Feinberg dated February 26, 2021	0.10	\$575.00	\$57.50
11/4/2021	Sarah Lorber	Closing file.	0.20	\$180.00	\$36.00
12/6/2021	Omar Vincent Melehy	Speaking with Emily Wilson about calculation of damages.	0.20	\$625.00	\$125.00
1/27/2022	Sarah Lorber	Preparing request for exemplified copies of judgment.	0.60	\$180.00	\$108.00
1/31/2022	Sarah Lorber	Calling courts to ask if copies can be mailed.	0.10	\$180.00	\$18.00
1/31/2022	Sarah Lorber	Requesting exemplified copies of ECF 60.	0.20	\$180.00	\$36.00
		Total Hours	9.1		
		Total Fees	\$1,800.50		